

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MICHELLE N. ABEYTA,

Plaintiff,

vs.

CIV. NO. 1:17-cv-00447-KBM

**NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,**

Defendant.

ORDER GRANTING MOTION FOR VOLUNTARY REMAND

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

¹ Concurrently herewith, the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

IT IS SO ORDERED.

SIGNED December 18, 2017.


KAREN B. MOLZEN
United States Chief Magistrate Judge

SUBMITTED AND APPROVED BY:

Electronically submitted 12/15/2017
MICHAEL A. THOMAS
Special Assistant United States Attorney

Electronically approved 12/15/2017
MICHAEL D. ARMSTRONG
Attorney for Plaintiff